

Filed 11/17/05

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA )  
 )  
v. ) Criminal Action No.: 02-30043-MAP  
 )  
ANDREY BUYNOVSKIY )

## DEFENDANT'S PROPOSED VOIR DIRE QUESTIONS

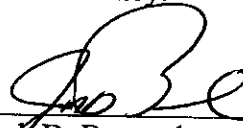
Now comes the Defendant, Andrey Buynovskiy, in the above numbered charge and requests pursuant that this Court put the following questions listed below to each person called as a juror in order that the Defendant may intelligently exercise his right to challenge, and to ensure that each juror stands indifferent in this case and is not affected by any bias, prejudice, or interest.

1. Have you ever been a member of any police force, law enforcement agency, United States Attorney's Office, security agency or any organization whose primary purpose is related to law enforcement? Do you have any relatives or close friends who have been members of any police force, law enforcement agency, district attorney's office or security agency? If so, describe your relationship with that person or agency. How would that relationship affects your ability to judge the evidence in this case?
2. Some of the witnesses are law enforcement officers. If one of these officers were to say that a certain thing happened or offered a certain description or analysis of the facts and circumstances, and another witnesses who was not a police officer testified that the event happened differently or that the facts and circumstances were different, would you believe the law enforcement officer simply because he was a law enforcement officer? Would you tend to believe the officer more than the defendant simply because he is a law enforcement officer?
3. Are you an active member of or participate in any community group whose purpose is to prevent gun ownership or to educate the public about the dangers of gun ownership? Do you have any relatives or close friends who are members of such groups? If so, describe the group.
4. There has been extensive media attention during the past several months regarding violence and the use of guns. Specifically, but not limited to, the Springfield, Massachusetts area. The alleged event occurred in the Springfield, Massachusetts area. Has that information affected your opinion of people charged with firearm offenses? How would it affect your ability to be impartial toward someone charged with a violent or firearm offense?

5. Have you or any of your relatives or close friend had any experiences as victims of crimes? If so, please describe the incidents. Did you believe that illegal use of guns contributed in any way to those incidents? Would your experiences make it difficult for you to fairly and impartially hear the evidence in this case?
6. Andrey Buynovskiy is Russian. Are you aware of any personal experience or feeling with regard to Russian people which might influence your decision in this case? If so, please explain.
7. Do you believe that Russian persons are more likely to commit crimes than other groups of people?
8. Do you believe that Russian persons are more likely to sell illegal guns than other groups of persons?
9. Have you ever been a complainant or witness for the prosecution in any criminal charge?
10. Has any member of the jury panel ever served on a state or federal grand jury? If so, please establish when such service was performed and where.
11. Has any member of the jury panel ever received any legal training, or been employed in a law office? If so, please determine the nature of such training or experience
12. Has any member of the jury panel now or ever been an employee of the United States Government or is there any member of the jury panel closely related to any person who is now or ever been employed by the United States Government? If the answer is in the affirmative, please indicate the agency of the government, the dates of employment and the duties performed.
13. At least one of the Government's witnesses in this case will be an agent of the Bureau of Alcohol, Tobacco and Firearms or the Federal Bureau of Investigation:
  - a. Have you, or has any member of your family, ever had any personal experience with federal agents from the Bureau of Alcohol, Tobacco and Firearms or the Federal Bureau of Investigation?
  - b. Are you related to or friendly with any member of the Bureau of Alcohol, Tobacco and Firearms or the Federal Bureau of Investigation?
  - c. As a result of what you know and/or have seen about federal agents, and in particular, the Bureau of Alcohol, Tobacco and Firearms, or the Federal Bureau of Investigation do you have a biased opinion about such agents generally, either good or bad, so that you could not sit on this case with an open mind?

14. Does the fact that Andrey Buynovskiy has been indicted by the Grand Jury in this case lead you to conclude that he must have done something wrong or otherwise he would not be on trial?
15. Under our law, a defendant is presumed to be innocent and that presumption alone is sufficient to acquit anyone charged with a crime. Do any of you, as prospective jurors, feel that the nature of the charge has any bearing on the existence of the presumption of innocence?
  - a. If answered "yes," are there occasions when you believe the presumption of innocence can be waived?
  - b. Do you have any objections to the proposition that the United States must overcome the presumption of innocence?
16. During the trial, Andrey Buynovskiy will be assisted by an interpreter. Do you believe that persons of foreign origin who live in the United States should learn the English language and should be required to speak English in public places?

Respectfully Submitted,  
Andrey Buynovskiy  
By His Attorney:



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